

APR 19 2004

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/788,510
		Filing Date	February 27, 2004
		First Named Inventor	CHISHTI, MUHAMMAD
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	018563-004920US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A and /08B Form 0 Reference Copies	
		Remarks	
		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP James M. Hestin	
Signature		
Date	4/14/04	

**CERTIFICATE OF TRANSMISSION/MAILING**

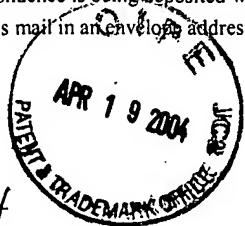
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Edward Masinas		
Signature		Date	4-15-04

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Alexandria, VA 22313-1450

On 4-15-04



**PATENT**  
Attorney Docket No.: 018563-004920US  
Client Reference No.: AT00106.2

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas  
Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 10/788,510

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR  
POSITIONING TEETH

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/133,155, filed 04/26/2002 (Attorney Docket No. 018563-004910US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin  
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
JMH:bjl  
60190385 v1



Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<b>Complete if Known</b>	
Sheet	1	of	4	Application Number	10/788,510
				Filing Date	February 27, 2004
				First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	018563-004920US

<b>U.S. PATENT DOCUMENTS+</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-3,660,900	05/1972	Andrews	
	AB	US-3,860,803	01/1975	Levine	
	AC	US-4,504,225	03/1985	Yoshii	
	AD	US-4,505,673	03/1985	Yoshii	
	AE	US-4,755,139	07/1988	Abbatte et al.	
	AF	US-4,793,803	12/1988	Martz	
	AG	US-4,798,534	01/1989	Breads	
	AH	US-4,836,778	06/1989	Baumrind et al.	
	AI	US-4,856,991	08/1989	Breads et al.	
	AJ	US-4,936,862	07/1990	Walker et al.	
	AK	US-5,011,405	04/1991	Lemchen	
	AL	US-5,017,133	05/1991	Miura	
	AM	US-5,035,613	07/1991	Breads et al.	
	AN	US-5,055,039	10/1991	Abbatte et al.	
	AO	US-5,059,118	10/1991	Breads et al.	
	AP	US-5,139,419	08/1992	Andreiko et al.	
	AQ	US-5,186,623	02/1993	Breads et al.	
	AR	US-5,273,429	12/1993	Rekow	
	AS	US-5,338,198	08/1994	Wu et al.	
	AT	US-5,340,309	08/1994	Robertson	
	AU	US-5,342,202	08/1994	Deshayes	
	AV	US-5,368,478	11/1994	Andreiko et al.	
	AW	US-5,382,164	01/1995	Stern	
	AX	US-5,395,238	03/1995	Andreiko et al.	
	AY	US-5,431,562	07/1995	Andreiko et al.	
	AZ	US-5,447,432	09/1995	Andreiko et al.	
	BA	US-5,452,219	09/1995	Dehoff et al.	
	BB	US-5,454,717	10/1995	Andreiko et al.	
	BC	US-5,456,600	10/1995	Andreiko et al.	
	BD	US-5,474,448	12/1995	Andreiko et al.	
	BE	US-5,533,895	07/1996	Andreiko et al.	
	BF	US-5,542,842	08/1996	Andreiko et al.	
	BG	US-5,549,476	08/1996	Stern	
	BH	US-5,587,912	12/1996	Andersson et al.	
	BI	US-5,605,459	02/1997	Kuroda et al.	
	BJ	US-5,607,305	03/1997	Andersson et al.	
	BK	US-5,645,421	07/1997	Slootsky	
	BL	US-5,683,243	11/1997	Andreiko et al.	
	BM	US-5,880,962	03/1999	Andersson et al.	
	BN	US-6,152,731	11/2000	Jordan et al.	
	BO	US-6,217,334	04/2001	Hultgren	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
				Application Number	10/788,510
				Filing Date	February 27, 2004
				First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	4	Attorney Docket Number	018563-004920US

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>				
	BP	WO	94/10935	05/1994			<input type="checkbox"/>
	BQ	WO	98/32394	07/1998			<input type="checkbox"/>
	BR	FR	2 369 828	06/1978			<input type="checkbox"/>
							<input type="checkbox"/>

Examiner Signature		Date Considered	
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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>					
(use as many sheets as necessary)					
Sheet	3	of	4		
				Attorney Docket Number	018563-004920US

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	BS	Biostar Operation & Training Manual, Great lakes Orthodontics, Ltd. 199 Fire Tower Drive, Tonawanda, New York, 14150-5890, 20 pgs.		
	BT	Chiappone, "constructing the gnathologic setup and positioner," J. Clin. Orthod., 1980, 14:121-133.		
	BU	Cottingham, "Gnathologic clear plastic positioner," Am. J. Orthod. 1969, 55:23-31		
	BV	Cureton, "Correcting malaligned mandibular incisors with removal retainers," J. Clin. Orthod. 1996, 30:390-395.		
	BW	Doyle, "Digital dentistry" Computer Graphics World, October 2000, pp. 50-52, 54.		
	BX	Elsasser, "Some observations on the history and uses of the Kesling positioner," Am. J. Orthod. 1950, 36:368-374.		
	BY	Kamada et al., "Case reports on tooth positioners with LTV vinyl silicone rubber and some case reports," J. Nihon University School of Dentistry 1982, 24(1):1-27.		
	BZ	Kesling, "Coordinating the predetermined pattern and tooth positioner with conventional treatment," Am. J. Orthod. Oral. Surg. 1946, 32:285-293.		
	CA	Kesling, "The philosophy of the tooth positioning appliance," Am. J. Orthod. Oral. Surg. 1945, 31(6):297-304.		
	CB	Kleeman et al., "The speed positioner," J. Clin. Orthod. 1996, 30:673-680.		
	CC	Kuroda et al., "Three-dimensional dental cast analyzing system using laser scanning," Am. J. Orthod. Dentofac. Orthop. 1996, 110:365-369.		
	CD	Nippon Dental Review, "New orthodontic device-dynamic positioner (D.P.) -1 Approach to the proposal of D.P. and transparent silicone rubber," 1980, 452:61-74.		
	CE	Nippon Dental Review, "New orthodontic device-dynamic positioner (D.P.)-11, Practice application and construction of D.P. and transparent silicone rubber," 1980, 454:107-130.		
	CF	Nippon Dental Review, "New orthodontic device-dynamic positioner (D.P.)-111, Case reports of reversed occlusion," 457:146-164.		
	CG	Nippon Dental Review, "New orthodontic device-dynamic positioner (D.P.)- Case reports of reversed occlusion," 1980, 458:112-129.		
	CH	Nishiyama et al., "A new construction of tooth repositioner by LTV vinyl silicone rubber," J. Nihon Univ. School of Dentistry, 1997, 19(2):93-102.		

Examiner Signature	Date Considered
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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>					
(use as many sheets as necessary)					
Sheet	4	of	4		
				Attorney Docket Number	018563-004920US

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	CI	Raintree Essix & ARS Materials, Inc., Raintree Essix, Technical Magazine Table of contents and Essix Appliances, <a href="http://www.essix.com/magazine/default.html">http://www.essix.com/magazine/default.html</a> 08/13/97, 7 pgs.			
	CJ	Redmond et al., "Clinical implications of digital orthodontics" Am. J. Orthodont. and Dentofacial Orthopaedics, 2000, 117(2):240-242.			
	CK	Shilliday, "Minimizing finishing problem with the mint-positioner," Am. J. Orthod. 1971, 59:596-599.			
	CL	Warunek et al., "Physical and mechanical properties of elastomers in orthodontic positioners," Am. J. Orthod. Dentofac. Orthop. 1989, 95:388-400.			
	CM	Wells, "Application of the positioner appliance in orthodontic treatment," Am. J. Orthodont. 1970, 58:351-366.			

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